

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:06-cr-00023-FDW

UNITED STATES OF AMERICA,)
)
)
vs.)
)
JERRY THOMAS COLLINS,) ORDER
)
)
Defendant.)
)
_____)

THIS MATTER is before the Court on Defendant's pro se Motions to Reduce Sentence under the First Step Act of 2018 (Doc. Nos. 50, 52) and Motion for Appointment of Counsel (Doc. No. 50).

The Court hereby ORDERS the Government to respond to Defendant's Motions for Reduced Sentence under the First Step Act. (Doc. Nos. 50, 52). The Government shall have **thirty (30) days** from the date of this Order to file its response with the Court. The Government shall advise the United States Probation Office if the Government believes a supplemental Presentence Investigation Report will be required.

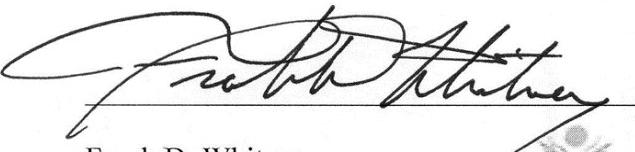
With respect to the included Motion to Appoint Counsel (Doc. No. 50), criminal defendants have no right to counsel beyond their first appeal. E.g., United States v. Kenny, No. 3:01-cr-00185-FDW, 2020 WL 2094116, at *1 (W.D.N.C. Apr. 30, 2020); United States v. Ismel, No. 3:94-CR-00008-1, 2012 WL 113392, at *1 (W.D. Va. Jan. 13, 2012). Defendant has not shown extraordinary circumstances warranting the appointment of counsel at this time. The included Motion to appoint counsel (Doc. No. 50) is therefore DENIED.

IT IS THEREFORE ORDERED:

1. The Government *must* respond to the Defendant's Motions for Reduction of Sentence under the First Step Act of 2018 (Doc. Nos. 50, 52) within **thirty (30) days**; and
2. Defendant's Motion to Appoint Counsel (Doc. No. 50) is DENIED.

IT IS SO ORDERED.

Signed: November 10, 2020



Frank D. Whitney
United States District Judge

